

Article - State Government

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§8–504.

(a) (1) In this section the following words have the meanings indicated.

(2) “Department” means a principal department of the Executive Branch of State government.

(3) “Independent unit” means a unit in the Executive Branch of State government that is not in a department.

(4) “Mask” means to redact from public view those portions of a public record that contain personal information, without permanently altering the original public record.

(5) “Official custodian” means an officer or employee of the State who, whether or not the officer or employee has physical custody and control of a public record, is responsible for keeping the public record.

(6) “Person in interest” means:

(i) an individual that is the subject of personal information contained in a public record or a designee of the individual; or

(ii) if the individual has a legal disability, the parent or legal representative of the individual.

(7) “Personal information” means an individual’s:

(i) Social Security number; or

(ii) driver’s license number.

(8) (i) “Public record” means the original or any copy of any documentary material that:

1. is made by a unit or instrumentality of the State government or received by the unit in connection with the transaction of public business; and

2. is in any form, including:

- A. a card;
- B. a computerized record;
- C. correspondence;
- D. a drawing;
- E. film or microfilm;
- F. a form;
- G. a map;
- H. a photograph or photostat;
- I. a recording; or
- J. a tape.

(ii) “Public record” includes a document that lists the salary of an employee of a unit or instrumentality of the State government.

(iii) “Public record” does not include a digital photographic image or signature of an individual, or the actual stored data thereof, recorded by the Motor Vehicle Administration.

(9) “Publicly post or display” means to intentionally make available to the public.

(b) Except as otherwise provided by law, on or after June 1, 2010, a department or an independent unit, to the extent practicable, may not publicly post or display on an Internet website maintained or paid for by the department or independent unit an individual’s personal information.

(c) (1) A person in interest may request an official custodian to mask personal information in the Internet version of a public record.

(2) A request made in accordance with this subsection shall:

- (i) be in writing; and

(ii) provide an adequate description of the public record including a name and address or type and location of the public record.

(3) Within 30 days after receiving a request under this section, an official custodian shall:

(i) mask the personal information in the Internet version of the record; and

(ii) give the person in interest written notice of the action taken.

(4) This subsection does not apply to a public record after 72 years from the date it was made or received by a unit or instrumentality of the State government.

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